

EXHIBIT 86



1 JOHN J. DeGIOIA, Ph.D. | 02.16.24

2 but I will bring a great deal of knowledge and
3 history. I may have had conversations with
4 people who are on the tracking list, may have
5 had conversations with recommenders on the
6 tracking list. So I bring a great deal of
7 information to my review of the tracking list.

8 Q. Once you send the list of names to
9 the admissions office, that is, the
10 President's list, does the admissions office
11 push back on any of those names?

12 A. I would learn from my conversations
13 with Mr. Koenig that admissions might have
14 some concerns about potential candidates.

15 Q. And approximately how many of those
16 candidates generate concerns from the
17 admissions office each year?

18 ATTORNEY MILLER: Objection. Form.

19 A. I couldn't say.

20 Q. Does approximately five a year
21 sound right?

22 A. It's not a great number. So five
23 could be -- could be a reasonable estimate.

24 Q. When Mr. Koenig points out that
25 five or so names have generated a reaction

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2 from the admissions office, what do you do?

3 A. I look over the cases in question
4 and I would make one of two judgments. One is
5 to accept that, that the admissions office has
6 reasons to be concerned, and then if I think
7 it's very important to the institution, I
8 would ask if there would be an alternative way
9 for the person to be considered for admission,
10 and that would include one of two different
11 options.

12 One would be coming for summer
13 school and performing well in summer school.
14 The other could be what we refer to as kind of
15 a preferential transfer. They could go to
16 another school, perform at an appropriate
17 level, and if they perform at that appropriate
18 level, they could be admitted as transfers.

19 Q. And the process that we've been
20 describing has applied to the regular decision
21 process, is that correct, in terms of the
22 cycle of the university?

23 A. Yes.

24 Q. Is there a similar process of names
25 that you send to the admissions office in

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2 ATTORNEY GILBERT: FERPA is a word in
3 this case, all caps F-E-R-P-A.

4 BY ATTORNEY GILBERT:

5 Q. Did you consider the fact of the
6 applicant's father being the CEO of a company,
7 the [REDACTED] affiliate of another company, in
8 deciding the priority to put this person on
9 the President's list?

10 A. No.

11 Q. Going to page eight, the first one
12 there, the notes are: Applicant is the
13 granddaughter of, FERPA redaction, co-founder
14 of [REDACTED]

15 Do you see that?

16 A. Yes, I do.

17 Q. And there is a UID number of 9949
18 and that person is on the President's list;
19 correct?

20 ATTORNEY MAGNUSSON: That will be on
21 the second page, Bates number ending 051,
22 approximately halfway down, ending in 949.

23 THE WITNESS: Sure.

24 Q. And in the notes, there is no
25 reference to the qualifications of the

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2 applicant herself; is there?

3 A. No.

4 Q. When you placed this applicant on
5 the President's list, did you consider the
6 fact that she is the granddaughter of a
7 co-founder of [REDACTED]

8 A. Yes.

9 Q. In plain English, would you
10 consider a person's being the granddaughter of
11 the co-founder of [REDACTED] as a financial
12 circumstance?

13 ATTORNEY MILLER: Objection. Form.

14 A. Could you define "financial
15 circumstance"?

16 Q. Just using the phrase "financial
17 circumstance" the way you understand that
18 phrase, would you consider being the
19 granddaughter of the co-founder of [REDACTED] as a
20 financial circumstance of that applicant?

21 A. No.

22 Q. Would you consider it as a
23 financial circumstance of her family?

24 A. Yes.

25 Q. Do you go to a conference in

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2 Sun Valley with some regularity?

3 A. Yes.

4 Q. And do you go to that conference
5 almost every year?

6 A. Almost every year since 2012.

7 Q. And have you ever heard of that
8 conference being referred to as summer camp
9 for billionaires?

10 A. No, but I understand why you might
11 ask me that question.

12 ATTORNEY GILBERT: Could we use the
13 Forbes Magazine?

14 ATTORNEY MAGNUSSON: This will be tab
15 54.

16 (Whereupon, article entitled Inside
17 The Annual Summer Camp for Billionaires in Sun
18 Valley, Idaho, is received and marked as
19 Exhibit 8 for Identification.)

20 CERTIFIED STENOGRAPHER: Number eight.

21 BY ATTORNEY GILBERT:

22 Q. That's the conference we're
23 referring to?

24 A. Yes, it is.

25 Q. Okay. And it's run by

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ATTORNEY GILBERT: The next document
we're going to have marked is currently tab
50.

(Whereupon, Georgetown Voice
article entitled On the Record with President
DeGioia , is received and marked as Exhibit 13
for Identification.)

CERTIFIED STENOGRAPHER: Number 13.

THE WITNESS: Thank you.

BY ATTORNEY GILBERT:

A. Okay.

Q. This is an article that appeared in
the Georgetown Voice on March 6, 2014, and my
questions are going to center around about the
sixth and seventh paragraph.

A. Sure.

Q. And you say: I actually chair that
group called the 568 Group.

A. Yes.

Q. The 568 refers to a passage in

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2 higher reauthorization bill about a decade
3 ago. What it enables us to do is develop a
4 common formula by which we would assess the
5 need of the student.

6 A. Yes.

7 Q. We ask the family to contribute the
8 maximum that they are capable of according to
9 that formula.

10 Do you know of any other business
11 or economic activity in the U.S. economy that
12 tries to determine the maximum amount that
13 people are capable of paying and then ask them
14 to pay that?

15 ATTORNEY MILLER: Objection. Form.

16 A. I wouldn't know.

17 Q. This -- when you state we ask the
18 family to contribute the maximum they are
19 capable of according to that formula, that
20 allows Georgetown to maximize its revenue;
21 correct?

22 ATTORNEY MILLER: Objection. Form.
23 Foundation.

24



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2 list and the student is admitted and within a
3 year you have them at the president's move-in
4 reception with a capacity rating of \$20
5 million, isn't this all just a wink and a nod
6 that wealthy people who can attend the
7 Sun Valley conference get a benefit in the
8 admissions process?

9 ATTORNEY MILLER: Objection. Form.
10 Foundation.

11 A. I can -- now that I know what the
12 case is, I can provide a bit more background.

13 Q. Sure.

14 A. I had not met this individual, the
15 father, prior to the conference in -- I think
16 it would be [REDACTED], I think it would have been
17 the [REDACTED] conference if I'm following the track
18 here. I think that's right. I met him for
19 the first time at that conference. He asked
20 me if I was the president of Georgetown and I
21 indicated I was. He said he had -- his
22 daughter was here as one of the attendees.

23 There are a couple of hundred
24 children who attend the conference. He said
25 his daughter was one of those children. She

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2 was very interested in Georgetown and would I
3 be willing to spend time with her. I said,
4 Yes, I'd be happy to interview her. Spend
5 time with her. Discuss Georgetown with her.
6 He shared with me some difficult challenges
7 that he and his wife had essentially created
8 during her adolescence. They were divorced
9 and -- I believe they were divorced and it was
10 quite difficult for -- on her during that
11 period.

12 I spent some time with her one on
13 one. I know there is a reference to Ted
14 Leonsis. Ted would not have participated in a
15 conversation with me with the young woman.

16 I had that conversation and that
17 led me to put her on the tracking list, and
18 then when I was assessing the tracking list
19 later in March, made a determination to put
20 her on the President's list.

21 I take a number of things into
22 consideration.

23 Q. What --

24 A. There are --

25 Q. -- percentage of applicants to

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2 Georgetown have the opportunity to speak to
3 the president of Georgetown and have the dad
4 speak to the president of Georgetown at the
5 Sun Valley conference to tell their story of
6 what they say their challenges were?

7 A. Obstacles overcome.

8 Q. What percentage?

9 A. It's a small number. A small
10 number.

11 Q. Some small fraction of 1 percent?

12 A. I couldn't do the math in my head,
13 but we have 24,000, 25,000 candidates for
14 admission.

15 Q. And of these 24, 25,000, this one
16 who had a capacity rating of \$20 million had
17 his daughter admitted and was at the move-in
18 reception by August of the following year;
19 right?

20 ATTORNEY MILLER: Objection. Form.

21 A. My judgment in reviewing the
22 tracking document, which ultimately produced
23 the President's list, was not informed by this
24 capacity rating.

25 Q. But it was informed by -- I'm

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2 sorry, I didn't mean to cut you off?

3 A. And at no time did I ever have a
4 discussion with the father about any potential
5 philanthropy.

6 Q. But the point is you don't need to
7 have a discussion; right? You're at the
8 Sun Valley conference. You don't need
9 somebody to run analytics or metrics on the
10 person. You know what you're dealing with,
11 and if the kid is some small fraction of 1
12 percent of your potential applicants because
13 she's at that Sun Valley conference and she
14 can have a conference with you about what she
15 and her dad think are her obstacles?

16 A. Yes, she can.

17 Q. All right.

18 ATTORNEY GILBERT: The next document --
19 yeah.

20 ATTORNEY MAGNUSSON: This will be tab
21 69.

22 ATTORNEY GILBERT: I'm going to take a
23 very short break.

24 How are we doing on time?

25 THE VIDEOGRAPHER: We're at 6:21.